

**REMARKS**

Claims 20-22, 24, 25, 29-32, 34-37, 45-46 and 50 are pending in this application.

Claims 21-22 have been canceled without prejudice and claims 20, 37 and 50 have been amended by the present Amendment. Amended claims 20, 37 and 50 do not introduce any new subject matter.

**REJECTION UNDER 35 U.S.C. § 103**

Reconsideration is respectfully requested of the rejection of (1) claims 20-22, 24, 25, 29-32, 34-37, 45, 46 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Meritt, further in view of U.S. Patent No. 6,371,345 ("Leyden") and JP 06197245 ("Yoshioka"), and U.S. Patent No. 6,585,201 ("Reed") and finally in view of U.S. Patent No. 5,337,985 ("Hale").

Claims 20, 37 and 50 essentially recite, *inter alia*, that the bracket includes a ring, the ring opens and closes to allow placement of the ring around the headrest support member without removing a headrest from the seat, and includes a snap-fit locking mechanism.

For example, referring to Fig. 11A and paragraph 0059 on page 19 of Applicant's disclosure, the bracket 407 includes a ring that opens and closes to allow placement of the ring around the headrest support member 403 without removing a headrest 402 from the seat, and includes a snap-fit locking mechanism 409. The nature of a snap-fit mechanism is further defined in Applicant's specification at paragraph 0057 on page 18, which states that a snap-fit mechanism uses a flexing action to secure an element in place.

Applicant respectfully submits that Adams, when taken alone, or in combination

with Meritt, Leyden, Yoshioka, Reed and/or Hale does not disclose or suggest the ring including the snap-fit locking mechanism as claimed. Further, there is no motivation to modify Yoshioka to include the claimed snap-fit locking mechanism.

*The Cited References Do Not Disclose The Claimed Ring Including A Snap-Fit Locking Mechanism*

In rejecting the claims, the Examiner maintains that Yoshioka discloses a bracket ring (1a/4a) that opens and closes, and includes a locking mechanism (5/6). However, in contrast to the claimed embodiments, Yoshioka does not disclose a snap-fit locking mechanism as claimed. For example, unlike what is claimed, the mechanism (5/6) in Yoshioka is a thread-type device including an attachment bolt 5 and a fixing nut 6.

Also, none of the remaining cited references cure this deficiency in Yoshioka.

Accordingly, the cited references fail to disclose the ring including the snap-fit locking mechanism, as recited in claims 20, 37 and 50.

*There Is No Motivation To Modify Yoshioka To Include A Snap-Fit Locking Mechanism*

Applicant submits that there is no motivation to modify Yoshioka to include the claimed snap-fit locking mechanism. As can be seen from Yoshioka, by inserting the attachment bolts into bolt holes 10, 25, and screwing the fixing nuts 6 onto the attachment bolts 5, a user is able to bring base member 1 and tie-down plate 4 closer to each other and in contact with the headrest post 9, to tighten and secure the attaching device. Yoshioka is designed to work with threaded attachment devices 5, 6 so as to permit incremental and proper tightening. Further, the attachment bolt 5 rests against a side of the headrest post 9 to provide additional support. The use of a snap-fit mechanism with the design of Yoshioka would be unworkable with the base 1 and plate

4 to safely attach a video camera with the attachment device. Indeed, Yoshioka's purpose is to secure the attachment device to seats with different dimensional specifications by using the threaded attachment members and an oblong bolt hole, each of which are specifically designed for use with Yoshioka's device to attach to different sized seats and headrest posts.

Accordingly, Applicant submits that there is no motivation to modify Yoshioka to include the claimed snap-fit locking mechanism.

Accordingly, for at least the above reasons, Applicant respectfully submits that claims 20, 37 and 50 are patentable over Adams in view of Meritt, Leyden, Yoshioka, Reed and Hale.

In addition, for at least the reason that claims 24, 25, 29-32, and 34-36 depend from claim 20, and claims 45 and 46 depend from claim 37, claims 24, 25, 29-32, 34-36, 45 and 46 are also submitted to be patentable over the cited references, claims 21-22 having been canceled.

As such, Applicant respectfully requests that the Examiner withdraw the rejection of claims 20-22, 24, 25, 29-32, 34-37, 45, 46 and 50 under 35 U.S.C. § 103(a).

#### **DEPENDENT CLAIMS**

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or

appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,



---

Michael F. Morano  
Reg. No. 44,952  
Attorney for Applicant

F. CHAU & ASSOCIATES, LLC  
130 Woodbury Road  
Woodbury, NY 11797  
(516) 692-8888